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SUBJECT: SAYYAF UNDER SIEGE: LAND DEALS AND HUMAN RIGHTS IN AFGHANISTAN

11. (SBU) Begin summary: Member of Parliament and former warlord Abdulrab al-Rasul Sayyaf has come under serious attack in the media because of allegations of land-grabbing as well as for his role in the civil war that almost destroyed Kabul. Truth and facts in Afghanistan are always difficult to determine, but Sayyaf's position as a major jihad figure and his prominence in the Parliament make the case against him especially complicated. The old warrior is on the defensive, and whatever happens as a result of the media attacks will resonate through Afghanistan's very powerful mujaheddin circles. End summary.

#### ACCUSATIONS OF HUMAN RIGHTS ABUSES

12. (SBU) On 20 December, one day following renewed publicity over the release of the Human Rights Watch report (SEPTTEL) listing Abdulrab al-Rasul Sayyaf as prominent in the pantheon of present-day Afghan political leaders who had allegedly committed serious abuses in the past and should be put on trial, Poloff was called to meet with Sayyaf personally. The private meeting lasted more than an hour, and Sayyaf opened with a long monologue aimed against AIHRC (Afghan Independent Human Rights Commission) Director Sima Simar, whom Sayyaf assumes was somehow behind the Human Rights Watch report. He believed that Simar was a Maoist and had instigated a personal campaign to discredit him and all the former mujaheddin. "She has called all the mujaheddin dogs, and has insulted the Afghan nation", he claimed. Sayyaf insisted that Sima Simar was a member of what he said was a Maoist-influenced RAWA (Revolutionary Afghan Women's Association), and that she was using her present position as Director of AIHRC to both attack former mujaheddin and to try to destabilize the present Afghan government. As his "proof" that the Human Rights Watch Report was Communist-inspired, Sayyaf noted that all the names of alleged human rights abusers were mujaheddin, and that none of the Communist leaders "who killed thousands and thousands of Afghans" were listed. He said that this was a conflict between "those who believed in God, and those who did not". Sayyaf described the personal sacrifices he had made during the jihad, including years of enforced separation from his family, and the death

of his mother in Kabul after he had not been able to see her for many years. It was clear that he felt deeply aggrieved over what he viewed as a personal attack in the media and in the Human Rights Watch Report.

#### ACCUSATIONS OF LAND GRABBING: WHAT IS TRUTH?

13. (SBU) Over the past few months, Sayyaf has come under strong criticism in the Afghan media for his alleged role in a major land controversy in Paghman district of Kabul Province, and the accusations have surfaced inside the Parliament. At the request of MP Seyyed Ishaq Gailani, Poloff met with a large group representing the allegedly disenfranchised Paghman landowners. Their version of the land squabble, which involves 7500 jerib (equivalent to approximately 3705 acres) is that the land in question was originally given to the local people (all Tajiks) by the then Shah, Amanullah Khan, and that the local owners had decided recently that the common area should be subdivided among the six districts claiming ownership. They entrusted the original deeds to Sayyaf - as a highly respected Pashtun non-interested party - in order for him to divide it among the large number of claimants. According to the delegation, Sayyaf had repeatedly delayed responding to their request for an equitable division among the six affected Tajik districts. Land values in the area continued to rise (the area is within easy reach of Kabul), and the original claimants realized that parcels of the affected land were being sold off and otherwise developed by Sayyaf's nephew, Momtaz, and by Sayyaf's close colleague, Sher Alam, the former governor of Ghazni and deputy to Sayyaf in the jihad-era Ittihad Party. The delegation said that the present Minister of Interior (Zarar Moqbel) and the Kabul Chief of Police (Guzar) also had

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financial interests in the land development and were supporting Sher Alam. When Sayyaf continued to obfuscate, demonstrations and armed clashes resulted, and several local residents were arrested by the police. These demonstrations, which resulted in deaths, injuries and the public destruction of posters of Sayyaf, were covered by TOLO television, as was a demonstration in front of the Parliament building. UNAMA got involved, and Kabul Governor Din Mohammad allegedly investigated and came out in support of the local residents. The local residents claim that the police with whom the locals fought were brought in from Ghazni by Sher Alam. The Paghman delegation added that the Supreme Court, various members of Parliament and even Karzai's office have all been involved in the ongoing (and increasingly complicated) investigations, taking various sides on the issue. The end result was that despite official findings in the local residents' favor, the land ownership was still in question, parcels continue to be sold off by Sher Alam, there have been a number of local residents killed and twelve prominent local residents are in police and/or in National Directorate of Security (NDS) custody.

14. (SBU) A second version of events was given Poloff by Sayyaf's political advisor, Kutwal, in a private meeting. He claimed that the land had been sold to Sayyaf's nephew and to Sher Alam several years ago by the ostensible owners when the prices were very low. The two new owners had started to develop the area and sell off parcels, but more recently as land values in the area rose steeply the people who had sold the land decided they wanted to benefit from the new prices. He claimed that the question of who actually owned the land and whether the sale to Sher Alam and Sayyaf's nephew was valid had gone to various courts as well as to the Attorney General's office, but the people who opposed the original sale had not been satisfied and had started to demonstrate in order to get the land returned or to get more money on top of their original sales price.

15. (SBU) On December 20, Sayyaf gave yet a third version of the chain of events regarding the land. He explained that the problem originated when six Tajik districts started to

squabble over the disposition of the 7,500 jerib of common land, and noted that as relatively recent residents in the area, neither he nor his family had any claim to this land. The six districts sent representatives to him to ask that he hold the various deeds until the various clans could reach a consensus over who owned what. He accepted the trust despite initial misgivings, because the local district governor pleaded with him that it was the only way to stop the feuding among the six Tajik groups. Time passed and the six continued to squabble, until one family approached the AIHRC and TOLO TV to complain that "Sayyaf was stealing their land". Sayyaf says he tried to give all the deeds entrusted to him back, but a series of delegations kept insisting he keep them pending a full resolution of the problem. Events snowballed, and the dissident family worked with AIHRC and TOLO TV to arrange demonstrations in Paghman, causing Sayyaf to insist that the six original delegations retrieve their deeds, thus leading to accusations that he had given the deeds to his fellow Ittihad party members, and on and on. Sayyaf claimed that TOLO TV had announced the demonstrations in advance in order to attract crowds, and that AIHRC employees had actually taken part in the protests rather than simply witnessing them as neutral observers. Sayyaf appeared heartily tired of the whole chain of events, and ended by saying "I swear to God that I do not even have one dollar of my own money. Everything, even the clothes I am wearing, belongs to the Party".

#### COMMENT

16. (SBU) Sayyaf, despite his controversial past, is a widely respected figure in Afghan mujaheddin circles, and has played a strong pro-government role in the Parliament. When he

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speaks out on issues in the plenary sessions, the room falls silent and he is given careful attention. His comments tend to be succinct and erudite. As Chairman of the Wolesi Jirga Foreign Affairs Committee, he has done much to maintain contact and good relations with foreign embassies in Kabul and with USG officials. That being said, he has many enemies in the Parliament and on the general Afghan political stage. He is also highly controversial because of his role in the jihad and especially because of his prominence in the violent civil war that erupted after the fall of the Najibullah government. Sayyaf is feeling beleaguered and very much on the defensive, but whatever the facts are, attacks on him will be seen as an attack on the mujaheddin as a whole. Truth in Afghanistan is a many-splendored, but much-soiled thing. All the versions of the Paghman land dispute ring partially true and partially untrue as well. The full truth is probably impossible to ascertain and depends on the political leanings and profit motives of the parties involved. End comment.

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